IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.643 OF 2005

IN

S.C.SUIT NO.2187 OF 2005

WITH

CIVIL APPLICATION NO.748 OF 2005

Augustin John Mathana & Ors. ...Appellants

Versus

Gregory John Mathana & Ors. ...Respondents

.....

Mr.M.A.Patel for Appellants.

None for for Respondents.

.....

CORAM: A.M.KHANWILKAR, J.

(VACATION JUDGE)

JUNE 3, 2005.

P.C.

1. Heard Counsel for the Appellants.

2. Counsel for the Appellants fairly accepts that it will be appropriate for the Appellants to

move the Trial Court immediately after re-opening for relief as prayed before this Court. Request is made for permission to withdraw this Appeal. Accordingly, dismissed as withdrawn.

3. As Appeal is dismissed as withdrawn, nothing survives in the Civil Application. The same is dismissed.

A.M.KHANWILKAR, J.